

REMARKS

The Examiner's comments from the Office Action mailed June 15, 2007 have been carefully considered. Claims 1, 50, 72 and 73 have been amended. Claims 74 and 75 have been newly added. Support for these amendments can be found throughout the specification and figures, e.g., page 5, lines 3-8; page 13, lines 5-7; and page 14, line 28 through page 15, line 7; and in FIGS. 10-17. No new matter has been added.

Reexamination of the pending claims is respectfully requested.

Claim Objections

Formal objections have been made to claims 1 and 72.

With respect to claim 1, the Examiner has inquired how the side member can be fixedly attached to the catheter and also capable of sliding with respect thereto. Applicants respectfully point out claim 1 does not recite a side member capable of sliding with respect to a catheter. Rather, claim 1 recites a side member fixedly attached to a catheter at a location proximal a stent. The side member has a free distal end that can advance into a side vessel. If the Examiner has further questions on this matter, then the Examiner is invited to call Applicants' representative at the below-listed telephone number.

Formal objection has been made to claim 72 for antecedent basis. The Examiner's comments have been considered and appropriate correction has been made.

Accordingly, Applicants assert the objections are overcome. Withdrawal of the objections and allowance of claims 1 and 72 is respectfully requested.

Claim Rejections

Claims 1, 3, 5-8, 10-13, 15-19, 42-48, 50-56, 58-70 and 72-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colombo et al. (U.S. Patent No. 6,520,988) in view of Uthmann (U.S. Patent No. 4,385,631) or Cameron (U.S. Patent No. 5,059,170). Applicants respectfully traverse the rejection.

Claim 1 recites, in part, at least first and second catheter radiopaque markers positioned on a catheter and at least first and second side member radiopaque markers positioned on a side

member. The first catheter radiopaque marker is positioned adjacent the side hole of a stent disposed over the catheter.

Colombo does not disclose or suggest a first catheter radiopaque marker positioned adjacent the side hole of a stent. Rather, Colombo discloses a side port marker provided along a dilator or access devices *engaged within the side port* of an endolumenal prosthesis. The catheter of Colombo is distinct from the dilator and the referenced access devices. The catheter is not *engaged within the side port* of the endolumenal prosthesis. The catheter, therefore, is not contemplated in this passage of Colombo. Further, no motivation is provided in Colombo to modify the catheter to arrange a marker on the catheter adjacent the side hole of the stent.

Uthmann and Cameron do not overcome the shortcomings of Colombo. Neither of these references discloses or suggests a first catheter radiopaque marker positioned on a catheter adjacent a side hole of a stent.

For at least these reasons, Colombo would not lead a person skilled in the art to the invention of claim 1, even in view of Uthmann and Cameron. Claims 3, 5-8, 10-13, 15-19, and 42-48 depend from claim 1 and are allowable for at least the same reasons. Withdrawal of the rejection and allowance of claims 1, 3, 5-8, 10-13, 15-19, and 42-48 is respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claim 50 recites, in part, a side member integral with a catheter at a location proximal a stent.

Colombo does not disclose or suggest a side member integral with a catheter at a location proximal a stent. Further, Uthmann and Cameron do not overcome the shortcomings of Colombo. Rather, both Uthmann and Cameron disclose coupling a first tubular member to a second tubular member using an external element (e.g., an adapter).

For at least these reasons, Colombo would not lead a person skilled in the art to the invention of claim 50, even in view of Uthmann and Cameron. Claims 51-56 and 58-70 depend from claim 50 and are allowable for at least the same reasons. Withdrawal of the rejection and allowance of claims 51-56 and 58-70 is respectfully requested. Applicants do not otherwise

concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claim 72 recites, in part, at least two radiopaque markers positioned on a catheter over which a stent is disposed. A first of the at least two radiopaque markers is positioned adjacent a side hole of the first stent.

Colombo, therefore, would not lead a person skilled in the art to the invention of claim 72, even in view of Uthmann, and Cameron for at least the same reasons as discussed above with respect to claim 1. Withdrawal of the rejection and allowance of claim 72 is respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claim 73 recites, in part, a side member integral with a catheter proximal of first and second catheter radiopaque markers.

Colombo does not disclose or suggest a side member integral with a catheter proximal of first and second catheter radiopaque markers. Colombo does not even disclose coupling a side member to a catheter proximal of first and second catheter radiopaque markers. Uthmann and Cameron do not overcome the shortcomings of Colombo. Neither of these references discloses or suggests a side member integral with a catheter proximal of first and second catheter radiopaque markers. Rather, each reference discloses coupling two tubular members with an external device.

For at least these reasons, Colombo would not lead a person skilled in the art to the invention of claim 73, even in view of Uthmann and Cameron. Withdrawal of the rejection and allowance of claim 73 is respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claims 14 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colombo, Uthmann, and Cameron as applied to claims 1, 3, 5-8, 10-13, 15-19, 42-48, 50-56, 58-70 and 72-73 above, and further in view of Davila et al. (U.S. Patent No. 5,851,464). Applicants respectfully traverse the rejection.

Claim 14 depends from claim 1 and is allowable over the combination of Colombo, Uthmann, and Cameron for at least the same reasons as discussed above with respect to claim 1. Davila does not overcome the shortcomings of Colombo, Uthmann, and Cameron. Davila also does not disclose or suggest a first catheter radiopaque marker positioned adjacent the side hole of a stent.

For at least these reasons, the combination of Colombo, Uthmann, and Cameron would not lead a person skilled in the art to the invention of claim 14, even in view of Davila. Withdrawal of the rejection and allowance of claim 14 is respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claim 57 depends from claim 50 and is allowable over the combination of Colombo, Uthmann, and Cameron for at least the same reasons as discussed above with respect to claim 50. Davila does not overcome the shortcomings of Colombo, Uthmann, and Cameron. Davila also does not disclose or suggest a side member integral with a catheter at a location proximal a stent.

For at least these reasons, the combination of Colombo, Uthmann, and Cameron would not lead a person skilled in the art to the invention of claim 57, even in view of Davila. Withdrawal of the rejection and allowance of claim 57 is respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

New Claims

Claims 74 and 75 have been newly added. Support for these claims can be found throughout the specification and figures. No new matter has been added.

To the extent the above rejections apply to new claims 74 and 75, Applicants respectfully traverse the rejections.

Claims 74 and 75 depend from claim 72 and are allowable over the cited references for at least the same reasons as discussed above with respect to claim 72. Examination and allowance of claims 74 and 75 is respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Conclusion

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance. If a phone conference would be helpful in resolving any further issues related to this matter, please contact Applicants' attorney listed below at 612-371-5387.

Respectfully submitted,



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